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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,599	01/22/2002	Rudi Junghans	A-3257	7136

7590

03/17/2003

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EXAMINER

HINZE, LEO T

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/054,599

Applicant(s)

JUNGHANS ET AL.

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hummel et al. in view of Greiner et al.

Hummel teaches:

- an inking unit (5) for a printing machine, which is assigned to a printing form (2), comprising a first distributor roller (22) and a second distributor roller (20), said first

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distributor roller being in rolling contact simultaneously with two ink applicator rollers (10, 12), and being axially oscillatable (e.g. col. 2, line 33) and disposed more closely to the printing form than is the second distributor roller (claim 1);

- wherein said second distributor roller is disposed more closely to an ink duct than is said first distributor roller (Fig. 1) (claim 4);
- a printing machine having a printing form and an inking unit (5), comprising a first distributor roller (22) and a second distributor roller (20), said first distributor roller being in rolling contact simultaneously with two ink applicator rollers (10, 12), and being axially oscillatable (e.g. col. 2, line 33) and disposed more closely to the printing form than is the second distributor roller (claim 5);
- “inking rollers... additionally driven into axially oscillate in an appropriate manner generally known in the art” (col. 2, lines 32-34);
- the ink distributor rollers closer to the plate cylinder being driven slower than the distributor rollers farther from the plate cylinder (e.g. col. 3, lines 30-34).

Hummel does not teach:

- said first distributor roller being axially oscillatable more slowly than the second distributor roller (claims 1 and 5);
- wherein said second distributor roller is axially oscillatable twice as quickly as said first distributor roller (claim 2);
- wherein said second distributor roller is axially oscillatable three times as quickly as said first distributor roller (claim 3).

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Greiner teaches and inking unit with traversing rollers, including distributor rollers (15,16) which axially oscillate at a different frequency than a form roller (20), and a mechanism for axially oscillating said rollers (e.g. Fig. 2, 2a). This mechanism for axially oscillating rollers causes the axial oscillating frequency to be proportional to the rotational speed of the roller.

Regarding claims 1 and 5, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hummel to use the oscillating mechanism of Greiner as the "appropriate manner generally known in the art" to axially oscillate the distributor rollers, because Greiner teaches that the axial oscillating mechanism is simple, inexpensive, and well suited for retrofit installation (e.g. col. 1, lines 52-55).

This modification to Hummel causes the distributor rollers to have different axial oscillating frequencies, with the distributor rollers disposed closer to the plate cylinder oscillating more slowly than distributor rollers disposed further from the plate cylinder. Further, the modification to cause different axial oscillating speeds has the benefit of constantly displacing and dissipating ghost images both peripherally and axially, as described by Greiner (e.g. col. 1, lines 56-64).

Regarding claims 2 and 3, the combination of Hummel and Greiner discloses all that is claimed, as discussed above. Further, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to set the ratio between frequencies of oscillation at 1:2 or 1:3, as one having ordinary skill in the art would have discovered these optimal frequency ratios in the course of routine experimentation.

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Regarding claim 4, the combination of Hummel and Greiner discloses all that is claimed, as discussed above.

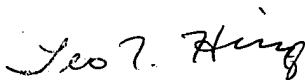
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (703) 305-3339. The examiner can normally be reached on M-F 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0952.



Leo T. Hinze
Patent Examiner
AU 2854
March 10, 2003



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